

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JIMMY LYONS, JACQUELINE LYONS, LISA CHAMBERLIN ENGELHARDT, GERALD COULTHURST, ENRIQUE DOMINGUEZ, FRANCES ERVING, JOHNNIE ERVING, ANTHONY PAPAPIETRO, and SHEILA D. HEARD individually and on behalf of all others similarly situated,

Plaintiffs,

v.

LITTON LOAN SERVICING LP, GOLDMAN SACHS GROUP, INC., ARROW CORPORATE MEMBER HOLDINGS LLC, SAXON MORTGAGE SERVICES, INC., MORGAN STANLEY, OCWEN FINANCIAL CORPORATION, OCWEN LOAN SERVICING, LLC, ASSURANT, INC. (d/b/a Assurant Specialty Property), AMERICAN SECURITY INSURANCE COMPANY, STANDARD GUARANTY INSURANCE COMPANY, AMERICAN MODERN INSURANCE GROUP, and AMERICAN MODERN HOME INSURANCE COMPANY,

Defendants.

Case No.: 1:13-00513-ALC-HBP

**NOTICE OF LITTON LOAN SERVICING LP'S  
MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, dated February 20, 2015, and the Declaration of Brian V. Otero, dated February 20, 2015, and the exhibits attached thereto, the undersigned hereby move this Court on behalf of Defendant Litton Loan Servicing LP ("Litton"), before the Honorable Andrew L. Carter Jr., United States District Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 1306,

New York, New York, 10007, for an Order dismissing with prejudice all claims against Litton in Plaintiffs' Second Amended Complaint in the above-captioned action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Pursuant to the Court's January 21, 2015 Scheduling Order (DE 146), Plaintiffs' opposition papers shall be served and filed no later than March 23, 2015, and Litton's reply shall be served and filed no later than April 6, 2015.

PLEASE TAKE FURTHER NOTICE that Litton respectfully requests oral argument on this motion.

Dated: February 20, 2015

Respectfully submitted:

By: Brian V. Otero  
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*Attorneys for Defendant Litton Loan Servicing LP*

**DECLARATION OF SERVICE**

Bradford C. Mulder, hereby declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

I am Managing Clerk at the law firm of Hunton & Williams LLP, attorneys for Defendant Litton Loan Servicing LP.

On February 20, 2015, I served a true copy of the forgoing, on all counsel of record registered with the Court's ECF system, by electronic service via the Court's ECF transmission facilities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 20, 2015.

/s/ Bradford C. Mulder  
Bradford C. Mulder